

caused by multiple sclerosis, hemorrhoids, asthma attacks, heartburn, allergies, earache, sore throat, corns and callouses on feet, pimples, cancerous conditions, and reducing and gaining weight, which were the purposes for which the articles were offered orally by Lillian Acker, a saleslady on the dealer's premises.

**DISPOSITION:** 1-9-60. Default—1 all-purpose cushion, 1 #300 king chair, 5 sets consisting of thermopads and hand units, and 1 hand unit were ordered delivered to the Food and Drug Administration; 2 chaise lounges, 2 #100 provincial chairs, 2 #300 king chairs, 2 #400 standard chairs, and 1 foam rubber mattress were ordered delivered to a charitable institution for use as ordinary furniture after first removing and destroying the control unit in each device so as to render it inoperable for heat or vibrating purposes. The remainder of the articles were destroyed.

## **DRUGS AND DEVICE ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS**

### **DRUGS FOR HUMAN USE**

#### **6175. Various drugs. (Inj. No. 350.)**

**COMPLAINT FOR INJUNCTION FILED:** 1-23-59, N. Dist. Ill., against Hallmark Laboratories, Inc., a corporation, Custom Chemical Laboratories, a partnership, John Korabik, president of the corporation, Chicago, Ill., and Otto K. Benca, treasurer of the corporation and partner in the partnership, Cicero, Ill.

**CHARGE:** The complaint alleged that the defendants were engaged in manufacturing, preparing, packing, labeling, selling, and introducing and delivering for introduction into interstate commerce, various drugs which were adulterated and misbranded as follows:

501(b)—a number of such drugs purported to be drugs the names of which are recognized in the United States Pharmacopeia and the strength of the drugs differed from, or their quality or purity fell below, the standards set forth in such compendium;

501(c)—the strength of a number of such drugs differed from, or their quality fell below, that which they purported and were represented to possess;

502(a)—the labeling of a number of such drugs bore false and misleading statements with respect to the nature and quantity of the ingredients contained in the drugs;

502(e) (2)—a number of such drugs were not designated solely by a name recognized in an official compendium, were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of each active ingredient; and

502(g)—a number of such drugs purported to be drugs the names of which are recognized in the United States Pharmacopeia and they were not labeled as prescribed by such compendium.

It was alleged also that the defendants were causing to be introduced and delivered for introduction into interstate commerce, contrary to the provisions of Section 505(a), new drugs which did not have effective new drug applications on file.

It was alleged further that, in the manufacturing, packaging, selling and distribution of the drugs, essentially the following methods were used:

(a) Hallmark Laboratories, Inc., purchased raw materials from various sources and furnished them to Custom Chemical Laboratories; (b)